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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF ARIZONA

12 United States of America,
13
14 Plaintiff,
15
16 vs.
17
18 UCXtra Umbrella, LLC,
Defendant.

No .CR-20-0225-PHX-MTL

**JOINT MOTION TO CORRECT
JUDGMENT**

19 The government and defendant UCXtra Umbrella, LLC, jointly move to correct the
20 judgment (doc. 25) pursuant to Fed. R. Crim. P. 35(a). Specifically, the parties request that
21 the Court impose a \$100 fine, in addition to the \$12,500,000 in restitution that was ordered
22 at the sentencing on August 27, 2020.

23 The parties learned after sentencing, with the helpful assistance of the Clerk's Office
24 and the Probation Office, that a fine may be required under 18 U.S.C. § 3551(c) given that
25 probation was not imposed. Although the parties continue to maintain that a significant
26 fine is not warranted for all of the reasons discussed in their sentencing memoranda, the
27 parties believe a small fine would be appropriate to ensure the judgment fully complies
28 with 18 U.S.C. § 3551(c).

1 Accordingly, the parties propose that a fine of \$100 be imposed and the judgment
2 be corrected to reflect the fine. Counsel for defendant UCXtra has confirmed that
3 defendant does not oppose the imposition of a \$100 fine and that it will promptly pay the
4 fine if imposed. Counsel for the government also has confirmed the Probation Office
5 agrees with the imposition of a \$100 fine.

6 A proposed order is being submitted herewith.

7 Respectfully submitted this 2nd day of September, 2020.

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9 MICHAEL BAILEY
United States Attorney
District of Arizona

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11 s/M. Bridget Minder
M. BRIDGET MINDER
12 PETER SEXTON
Assistant U.S. Attorneys

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14 POLSINELLI PC

15 s/Edward F. Novak (with permission)
EDWARD F. NOVAK
16 Attorney for UCXtra Umbrella, LLC

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18 **CERTIFICATE OF SERVICE**

19 I hereby certify that on this 2nd day of September, 2020, I electronically transmitted
20 the attached document to the Clerk's Office using the CM/ECF System for filing and
21 transmittal of a Notice of Electronic Filing to the following CM/ECF registrant:

22 Edward F. Novak, Attorney for Defendant

23 s/Daniel Parke
24 U.S. Attorney's Office